<u>REMARKS</u>

The Office Action mailed July 31, 2008 has been received and its contents carefully considered. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-5 and 7-11 are pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION ON NON-OBVIOUSNESS:

In the Office Action, the Examiner rejected Claims 1-7 and 10-11 under 35 U.S.C 103 (a) as being unpatentable over Bella (6, 181, 775) in view of Posthuma (6, 496, 566). These rejections are respectfully traversed.

Based on currently canceled claim 6, claim 1 is amended and recites a system for testing subscriber lines, comprising <u>a broadband line testing control module in a Digital Subscriber Line Access Multiplexer (DSLAM)</u> and a remote terminal subscriber access control module located at <u>a subscriber line between a splitter in a user end and the DSLAM</u>, wherein

<u>said splitter is connected with a remote terminal unit at the user side;</u>

said broadband line testing control module is configured to send a <u>signal of disconnecting the subscriber line between the broadband line testing control module and the splitter to the remote terminal subscriber access control module</u> through a terminal managing channel of the DSLAM, and test the subscriber line by a one-end test;

said remote terminal subscriber access control module is configured to receive said signal from the broadband line testing control module, and control <u>the splitter and the remote terminal unit to disconnect from the subscriber line based on said signal</u>.

In claim 1, the signal of disconnecting the subscriber line is sent by the <u>broadband line</u>

testing control module, which is in a central office, to the remote terminal subscriber access

control module, which is not in the central office but in the user end, through a terminal

managing channel of a Digital Subscriber Line Access Multiplexer (DSLAM), and the subscriber

line is tested after the splitter and the remote terminal unit are disconnected from the subscriber

line based on said signal. Therefore, the subscriber line can be tested without being affected by

the splitter or the remote terminal unit.

  With respect to Bella, as discussed in the prior remarks, it does not teach or suggest that

the signal of disconnecting the subscriber line is sent through the terminal managing channel of

the DSLAM, and amended claim 1 is not anticipated by Bella. Furthermore, the applicant

respectfully submits that the test in Bella is different from amended claim 1 in the present

application for three additional reasons below.

  Firstly, in a first test phase of Bella, the test is performed by two ends, i.e. the central

office sends a request signal to detector 30 and the NIU breaks the connection between the

network port and the customer port upon detecting the request signal and sends a test signal back

to the central office so that the central office can check the twisted pair between the central office

an the customer's premises. (See Column 3, line 24-column 4, column 8, lines 14-16) Therefore,

the test in Bella is a dual-end test; especially, the test signal is sent by the NIU. Comparatively,

the test in the present invention is performed in the central office, i.e. the test in the present

invention is a one-end test; especially, the test signal in the present invention is sent by the

central office instead of a unit in the user end.

  Secondly, in Bella, NIU will affect the line test because the NIU is needed during the test.

Comparatively, in the present invention, the splitter and the remote terminal unit are both

disconnected from the subscriber line, and therefore, the test would be more accurate.

Thirdly, in a second test phase of Bella, the central office can send one or more signals to
test the customer's POTS equipment without worrying about the effects of the ADSL low pass
filter or the ADSL modem, and diagnose problems with a subscriber's service. (See column 2,
lines 25-27, column8, lines 35-39). As can be seen, the second test phase relates to the test of the
equipment or service instead of the subscriber line as recited in the present invention.

With respect to Posthuma, it recites two test units, a DSLAM metallic test unit and a
voice switch metallic test unit, which are both in the central office and connected with each other
via a metallic test bus. If one test unit starts test, it must disconnect from the other test unit so as
to avoid disturbance of the other test unit. According to Posthuma, before the test, a signal is sent
from one test unit over the metallic test bus across a tip-ring pair to the other test unit to test
whether there is DSL traffic; if there is the DSL traffic, the test would not start; otherwise, a test
message is sent to the other test unit to start the test. (See Figure 2, col. 2 lines 24-31 and 41-67,
col.4 lines 10-28 in Posthuma)

As can be seen, Posthuma discloses a solution totally different from amended claim 1 of
the present application because of the following. Posthuma does not recite the feature of sending
the signal of disconnecting the subscriber line from the central office to the user end; instead,
Posthuma aims at the communications between two test units in the central office via the metallic
test bus which is usually used to connect some counterpart devices. Further, as Posthuma does
not recite the feature of sending the signal of disconnecting the subscriber line from the central
office to the user end, nor can it recite sending the signal of disconnecting the subscriber line
from the central office to the user end *through the terminal managing channel of the DSLAM*
which is a logical channel and is between the central office and the user end. Because of the
above, the applicant respectfully submits that Posthuma does not disclose or even hint at the

solution of the present invention.

As can be concluded, amended claim 1 is patentable over Bella in view of Posthuma because none of Bella and Posthuma discloses all features disclosed by the present invention

Dependent claims 2-5 depend on independent claim 1 and incorporate all limitations of claim 1. Accordingly, for the reasons established above, applicant respectfully submits that claims 2-6 are not anticipated by Bella in view of Posthuma.

Since independent claim 7 recites features analogous to independent claim 1, applicant submits that claim 7 is also patentable for reasons analogous to those presented above. Accordingly, applicant respectfully requests withdrawal of the rejection of claim 7.

Dependent claims 8 and 9 are believed patentable for the reasons given above. Therefore, withdrawal of the rejection of claims 8 and 9 as unpatentable over Bella, in view of Posthuma and Ginesi is respectfully requested. Ginesi is not believed to overcome the deficiencies noted above with respect to Bella and Posthuma.

Dependent claims 10-11 depend on independent claim 7 and incorporate all limitations of claim 7. Accordingly, for the reasons established above, applicant respectfully submits that claims 10-11 are not anticipated by Bella in view of Posthuma.
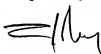
CONCLUSION

In view of the above reasons, applicant believes the pending application is in condition for allowance. It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Should the Examiner believe that a telephone conference would be helpful in expediting prosecution of the application; the Examiner is invited to telephone the undersigned at 202-861-1696.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 56815.1800.

Respectfully submitted,

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